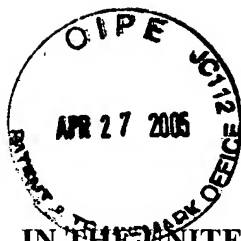


88598.1  
PATENT



DOCKET NO. 13561US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: SCARINGE, S, Examiner: SISSON, Bradley  
Serial No.: 10/635,108 Group Art Unit: 1634  
Filed: August 5, 2003  
For: Short Interfering RNA's Having a Hairpin Structure Containing a Non-Nucleotide Loop

Customer No.: 23719

Kalow & Springut LLP  
488 Madison Avenue, 19th Floor  
New York, New York 10022

April 27, 2005

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents:

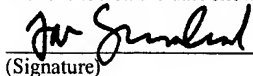
In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, Applicant wishes to make known to the Patent and Trademark Office the references set forth on the attached form PTO/SB/08B (copies of cited references are enclosed). As to any reference supplied, Applicant does not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserves the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with Applicant's duty to disclose all information of which Applicant is aware and believes relevant to the examination of the above-identified application, Applicant believes that the invention is patentable.

05/02/2005 MAHMED1 00000040 110171 10635108

01 FC:1806 180.00 DA

**Certificate of Express Mailing Under 37 C.F.R. § 1.10**

I hereby declare that on the date indicated below, this correspondence is being deposited with the United States Postal Service via Express Mail Label No. EV 279579071 US in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on the date shown below.

  
(Signature)

TOR SNELMAN  
(Printed Name of Person Signing Certificate)

27 APRIL 2005  
(Date)

Applicant: SCARINGE, S.  
Serial No.: 10/635,108  
Filed: August 5, 2003  
Third Supplemental IDS  
April 27, 2005  
Page 2 of 3

### **NON PATENT PUBLICATIONS**

CAPLEN, Natasha J. *et al.* (2001) Specific inhibition of gene expression by small double-stranded RNAs in invertebrate and vertebrate systems. *Proc. Natl. Acad. Sci. USA*, 98/17:17:9742-9747.

HOLEN, Torgeir *et al.* (2002) Positional effects of short interfering RNAs targeting the human coagulation trigger Tissue Factor. *Nucleic Acids Res.* 30/8:1757-1766.

The items listed above are identified on the accompanying Form PTO/SB/08. A copy of each of the non-patent publications identified above is also submitted with this statement.

Applicants take no position on whether any of the items cited above and listed on the accompanying Form PTO/SB/08 constitute prior art against the subject application under any particular provision of Title 35 of the United States Code.

Applicant encloses a Fee Transmittal authorizing a charge of \$180.00 for the filing of this information disclosure statement to Deposit Account No. 11-0171. If any additional fees are deemed due or any overpayment has been made please charge, or credit our deposit Account No. 11-0171 for such sum.

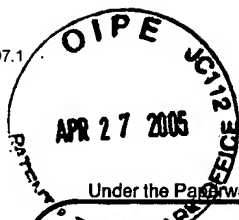
Respectfully submitted,



---

Tor Smeland  
Registration No.: 43,131  
Attorney for Applicant

Kalow & Springut LLP  
(212) 813-1600



PTO/SB/08B (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

## **Complete if Known**

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)	<b>Application Number</b>		10/635,108		
	<b>Filing Date</b>		05 August 2003		
	<b>First Named Inventor</b>		SCARINGE, S.		
	<b>Art Unit</b>		1634		
	<b>Examiner Name</b>		SISSON, Bradley		
<b>Sheet</b>	1	<b>of</b>	1	<b>Attorney Docket Number</b>	13561US

## **NON PATENT LITERATURE DOCUMENTS**

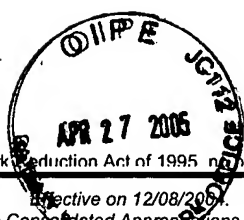
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		CAPLEN, Natasha J. et al. (2001) Specific inhibition of gene expression by small double-stranded RNAs in invertebrate and vertebrate systems. Proc. Natl. Acad. Sci. USA, 98/17:9742-9747.	
		HOLEN, Torgeir et al. (2002) Positional effects of short interfering RNAs targeting the human coagulation trigger Tissue Factor. Nucleic Acids Res. 30/8:1757-1766.	

<b>Examiner Signature</b>		<b>Date Considered</b>	
---------------------------	--	------------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Effective on 12/08/2005.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

**Complete if Known**

Application Number	10/635,108
Filing Date	05 August 2003
First Named Inventor	SCARINGE, S.
Examiner Name	SISSON, Bradley
Art Unit	1634
Attorney Docket No.	13561US

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 11-0171 Deposit Account Name: Kalow & Springut LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>
- 20 or HP =	x	=		<b>Fee (\$)</b> <b>Fee Paid (\$)</b>

HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

**Fees Paid (\$)**Other (e.g., late filing surcharge): SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT FEE \$180.00**SUBMITTED BY**

Signature	<u>JM Smeland</u>	Registration No. (Attorney/Agent) 43,131	Telephone 212-813-1600
Name (Print/Type)	Tor SMELAND		Date 27 April 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.